

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

John Doe,

Case No. 0:18-cv-00919-JRT-KMM

Plaintiff,

v.

ORDER

The Blake School,

Defendant.

This matter is before the Court on the plaintiff's motion seeking permission to proceed under the pseudonym John Doe throughout this litigation. [ECF No. 2.] The defendant, the Blake School, has informed the Court that it does not oppose the plaintiff's motion. [See E-mail from Sean Somermeyer to the Court (Apr. 6, 2018) (on file with the Court).]

The Federal Rules of Civil Procedure require pleadings to contain the names of all parties. Fed. R. Civ. P. 10(a). This creates a presumption in favor of publicly identified litigants proceeding under their true names, and against pseudonymous proceedings. *See, e.g., Lockett v. Beaudet*, 21 F. Supp. 2d 1029, 1029 (D. Minn. 1998) ("There is a strong presumption against allowing parties to use a pseudonym."). However, "[i]n cases involving intensely personal matters, 'the normal practice of disclosing the parties' identities yields to a policy of protecting privacy.'" *In re Ashley Madison Customer Data Security Breach Litig.*, MDL No. 2669, 2016 WL 1366616, at * 3 (E.D. Mo. Apr. 6, 2016) (quoting *Southern Methodist Univ. Assoc. of Women Law Students v. Wynne & Jaffe*, 599 F.2d 707, 712 (5th Cir. 1979)).

Here, the plaintiff asserts that in his senior year at the Blake School he was suspended following an unfair disciplinary process investigating an accusation that he touched a female student inappropriately during a school dance. Based on the

allegations in the Complaint, the Court concludes that at this stage of the litigation, the relevant factors weigh in favor of allowing the plaintiff to proceed anonymously in this case. *See, e. g., Doe v. Colgate Univ.*, No. 5:15-cv-1069, 2016 WL1448829, at *3-4 (N.D.N.Y. Ap. 12, 2016) (allowing pseudonymous pleading in case involving university's handling of sexual assault claim against plaintiff and collecting cases reaching the same result); *Doe v. the Rector and Visitors of George Mason Univ.*, 179 F. Supp. 3d 583, 593 (E.D. Va. Ap. 14, 2016) ("There can be no doubt that the litigation here focuses on a 'matter of a sensitive and highly personal nature.'"). If the balance shifts at a later stage in the proceedings, and the Blake School believes it is no longer appropriate for the plaintiff to proceed under a pseudonym, it is free to reopen the issue.

Accordingly, **IT IS HEREBY ORDERED THAT** the plaintiff's motion to proceed using a pseudonym [ECF No. 2] is **GRANTED**.

Date: April 11, 2018

s/ Katherine Menendez
Katherine Menendez
United States Magistrate Judge